

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 3:05-CR-00141-MEF-CSC
)	
ROY TERRY)	

MOTION TO RECONSIDER

COMES NOW the Defendant Roy Terry by and through counsel and respectfully files this Motion to Reconsider the Court's Order dated December 12, 2006, denying the Defendant's Motion to Postpone Report Date and states the following grounds:

1. As of Wednesday afternoon, December 13, 2006, the Defendant has not received any notice from the Bureau of Prisons regarding the facility he is to report to on Thursday, December 14, 2006, at 2:00 p.m. The Court's initial order at sentencing ordered the Defendant to "self-report."

2. The office of the Defendant's counsel has made multiple attempts to contact the Bureau of Prisons to obtain information about where the Defendant is to report but those attempts have been unsuccessful.

3. The Defendant has had several conversations with his probation officer. The probation officer has made multiple contacts in an attempt to obtain information regarding the facility to which the Defendant should report but his attempts have also been unsuccessful.

4. The Defendant would respectfully request a postponement of his report for several days until he receives notice of the Bureau of Prisons facility to which he is to report.

Respectfully submitted this the 13th day of December 2006.

CAPELL & HOWARD, P.C.

By: /s/ George L. Beck, Jr.
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CERTIFICATE OF SERVICE

I hereby certify that I have served a true copy of the foregoing instrument upon the following individual(s), properly addressed, by placing same in the United States Mail, first-class, postage prepaid, on this the 13th day of December 2006.

Andrew O. Schiff, Esq.
Assistant U.S. Attorney
P.O. Box 197
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Mr. Doug Mathis
United States Probation Office
Post Office Box 39
Montgomery, AL 36101

By: /s/ George L. Beck, Jr.
GEORGE L. BECK, JR. (BEC011)